

findings shall be reported to the COTR or her designee using a Report of Search File Conditions (see Section J, exhibit 7). In addition, the Contractor also will be notified by the Government Representative of any complaints received regarding conditions in the ESRs. With the exception of mini-file expansions (discussed in the following paragraph C.7.2.3), the Contractor shall correct all search room deficiencies within 8 work hours of identification or notification of the problem.

C.7.2.3 During the course of Search Room Maintenance, the Contractor shall determine whether rearrangement/expansion of portions of the search file is required. If adequate space (i.e., sufficient space for the rearrangement/expansion is located within three shoe case columns of the area to be expanded; columns at the same end of shoe case aisles are considered to be adjacent to each other) is available, the Contractor shall perform a mini-file expansion (mini-expansion) by rearranging the documents of a classification in accordance with the standards of section C.9.2. No special authorization is required for the Contractor to initiate a mini-expansion. The Contractor shall complete mini-expansion work within 2 work days of identifying or receiving notice of the need for such expansion.

C.7.2.4 If expansion space is available within the subclass requiring rearrangement/expansion, the Contractor shall perform the mini-expansion without contacting the Government Representative. If more than one subclass requires expansion, the Contractor shall contact the appropriate Government Representative before initiating a mini-expansion to determine if there are any special instructions. The Contractor shall not include documents involved in a mini-expansion in the count of references refiled.

C.7.2.5 If the Contractor determines that adequate space is not available to allow for a mini-expansion, the Contractor shall complete a Report of Search File Conditions for each such search file area and shall deliver the report to the COTR or her designee within 8 work hours of identifying the problem. After receiving such a report, the Government will review the affected search file area and determine the appropriate corrective measures to be taken (e.g., a full File Expansion).

C.7.2.6 Government inspection of the Contractor's work will be performed in accordance with the Inspection and Acceptance Plan set forth in Section E. The Contractor shall, within 8 work hours, correct any deficiencies identified during inspection.

C.7.3 SEARCH FILE EXPANSION (CLIN 3)

C.7.3.1 Search File Expansion has as its objective the expansion of portions of the ESF in any of the Examining Groups when a mini-file expansion cannot be performed in accordance with section C.7.2. Expansion activities involve physically rearranging patent copies and other patent-related materials contained in the shoes to ensure conformance with the standards set forth in section C.9.2. Search File Expansion projects involve a larger number of shoes, classifications, and/or documents than a mini-file expansion.

C.7.3.2 The Government will determine the need for a File Expansion Project and will survey each project, calculate the time allotted, schedule the project, and deliver to the Contractor a Notice of Authority (NOA) for Search File Expansion (see Section J, exhibit 8). Upon receipt of an NOA issued by the Government, the Contractor shall notify the individual designated on the NOA when work will begin and shall request any special instructions. It will be at this stage that specific details regarding the particular expansion project

are discussed and explained. These specific details include, but are not limited to, the number and location of empty shoes within a subclass, the thickness of documents within a shoe, and the sequential arrangement of documents. If needed, the Government will arrange for the placement of vacant shoe case(s) in the appropriate space for the file expansion project.

C.7.3.3 Using the following criteria, the COTR or her designee will determine the staff days necessary for the project based on the size and condition of the project. The Contractor also may survey each project and request modifications to the schedule and time allotted based on any special requirements. Any unusual circumstances requiring additional staff days will be mutually agreed upon between the Contractor and the COTR prior to the start of work.

C.7.3.3.1 Shift and Limited Expansion Project:

This type of project includes shifting individual shoes from shoe case to shoe case without reviewing the contents of each shoe and rearranging documents in only the subclasses that need more room. The purpose is to distribute throughout the search file empty shoes to provide room for growth and future mini-file expansions and to expand only selected subclasses. Complete review of the contents and sequence of each shoe is not required as in a regular expansion project. To estimate the number of staff days needed to complete a Shift and Limited Expansion Project, multiply the number of shoe cases to be shifted by .25, then round the product to the next whole number.

C.7.3.3.2 Full Expansion Project:

This type of project includes reviewing each document for proper class/subclass location and for proper sequential filing of documents in addition to shifting the documents to provide room for growth and future mini-file expansions. To estimate the number of staff days needed to complete a Full Expansion Project, multiply the number of existing shoe cases to be expanded by .75, then round the product to the nearest whole number and add 1.

C.7.3.4 The Contractor shall distribute the documents in the project classification(s) into any new or existing vacant shoe case(s) in accordance with the NOA and the standards outlined in section C.9.2. The Contractor shall ensure that no subclass is inaccessible for searching for longer than 2 work days.

C.7.3.5 During the course of each Search File Expansion Project, the Contractor shall ensure that daily reference refiling (CLIN 1) is performed in accordance with the requirements set forth in section C7.1. In addition, the Contractor shall ensure that any misfiled documents (i.e., documents not filed in the class/subclass identified on the document label) found during Search File Expansion are promptly refiled in their proper location.

C.7.3.6 The Government will conduct a final inspection of the Contractor's work product in accordance with the Inspection and Acceptance Plan set forth in Section E. In the event the project is not accepted, the Contractor will correct any deficiencies within 8 work hours of notification of project rejection.

C.7.4 RECLASSIFICATION PROJECT PROCESSING

C.7.4.1 General

C.7.4.1.1 At least once each quarter, the Government will provide to the Contractor a tentative Project Schedule (see Section J, exhibit 9) of upcoming projects in order to allow for planning by the Contractor. This schedule is subject to revision by the Government at any time.

C.7.4.1.2 No later than 2 work days prior to the beginning of each month, the Government will provide a Processing Schedule (see Section J, exhibit 10) for that month which specifies the dates associated with processing (e.g., project pickup, project start, project inspection). The Contractor may request modification of this schedule prior to the beginning of the month.

However, any modifications must be mutually agreed to in advance by the Contractor and the COTR. The processing schedule will be based on the following table which indicates the length of time the Contractor shall be allowed to complete project processing.

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Time Periods for Project Processing

<u>Project Type</u>	<u>Project Size</u> (# of patent copies)	<u>Time Allowed</u>
Preprocessing (includes locating and reproducing patent copies as necessary under CLINS 7 and 8)	up to 20,000 20,001 to 40,000 more than 40,000	1 week 2 weeks 3 weeks
Data Capture	up to 25,000 25,001 to 50,000 more than 50,000	1 week 2 weeks 3 weeks
Final Processing		
Public Set (includes locating and reproducing patent copies as necessary under CLINS 7 and 8)	up to 20,000 20,001 to 40,000 40,001 to 70,000 more than 70,000	1 week 2 weeks 3 weeks 4 weeks
Examiner Set (includes locating and reproducing patent copies as necessary under CLINS 7 and 8)	up to 20,000 20,001 to 40,000 40,001 to 70,000 more than 75,000	1 week 2 weeks 3 weeks 4 weeks
Search File Improvement		
File Integrity		
Public Set	up to 4,000	2 days
Examiner Set	up to 4,000	4 days

C.7.4.1.3 At least 3 work days prior to the date that processing of a particular project is to begin the Government will provide the Contractor with a Notice of Authority (NOA) for Reclass/SFQI Projects (see Section J, exhibit 11) which identifies the work to be accomplished and authorizes the Contractor to remove documents needed to perform the work. The Contractor shall not initiate any Reclassification Project Processing work without the NOA. At the time of project pickup, all Government furnished materials required to complete scheduled processing will be provided.

C.7.4.1.4 As needed to complete project processing, the Contractor shall ensure necessary patent copies provided under CLINS 7 and 8 are obtained in the time allowed for project processing. The Contractor shall ensure that all copies obtained meet the requirements outlined in section C9.1 for an acceptable patent copy. Prior to the scheduled inspection date, the Contractor shall notify the COTR or her designee if, after all possible sources have been checked, the Contractor has been unable to locate patent copies needed to complete project processing.

C.7.4.2 Specifications for Labeling Patent Copies

C.7.4.2.1 The final product of Reclassification and File Improvement Project Processing are complete and accurate Examiner and Public Search Files which contain newly labeled patents in the affected classifications. The new classification labels are to be attached to the patent copies in a manner consistent with the following specifications.

(a) All new classification labels are to be affixed to the top left hand corner of the front page of the patent.

(b) The label shall be located flush against the paper's top left hand corner edges. See Section J, exhibit 12, for an illustration of a patent copy with a properly attached classification label.

(c) Any marks or notations still visible around the label after it has been affixed shall be blacked out in a neat and consistent manner. Any classification information elsewhere on the upper one-fourth of the patent must have a line drawn through it.

(d) Any notes other than those containing classification information shall not be marked out.

C.7.4.3 Inspection

C.7.4.3.1 At designated points in the processing, the Government will conduct inspections of the Contractor's work in accordance with the standards set forth in Section E. At the Government's option, any inspection need not be completed but may be halted at any point after failure by the Contractor is determined. Any discrepancies or other problems found during inspection shall be corrected within 8 work hours by the Contractor who shall then request re-inspection by 2:00 p.m. of the day before the desired reinspection date.

C.7.4.3.2 To request a change to a scheduled inspection time, the Contractor shall notify the designated Project Leader no later than 2:00 p.m. of the day before an inspection is scheduled. Government

Inspectors normally will arrive at the Contractor's facility between 8:30 and 9:30 a.m. to conduct inspections. Inspection starting times of later than 12 noon will not be allowed.

C.7.5 PREPROCESSING (CLIN 4)

C.7.5.1 The objective of Preprocessing is to provide to the professional classifier a single, complete, and legible copy of each unique U.S. patent within the scope of a reclassification project. This is accomplished by preprocessing of the PSR patents for the project classifications.

C.7.5.2 In accordance with the monthly Processing Schedule and following receipt of the appropriate NOA, the Contractor shall arrange to remove from the PSR all patent copies in the project classifications. Actual removal of the documents shall not occur except in the presence of the PTO Project Leader, as designated on the NOA, who will verify the removal of only those classifications shown in the NOA. All Government furnished materials required to complete processing of this project will be provided to the Contractor at this time.

C.7.5.3 Using the PSR set of documents, the Contractor shall locate and assemble a set of unique Original (OR) patent documents and a set of unique Cross-Reference (XR) patent documents. The patent number and classification of documents to be used are identified in the Government furnished support materials. (For purposes of Preprocessing, there are only OR or XR copies. Digest copies will be treated as Cross References.) If a required copy is missing from the PSR set of documents in use by the Contractor, the Contractor shall locate and use any other copy of that document available within the project classifications. Only if no copy is available within the project classifications shall the Contractor obtain copies in accordance with section C7.11. The Contractor shall not under any circumstances remove a document from elsewhere in the search file for inclusion in the project.

C.7.5.4 The Contractor shall prepare each of the unique OR and XR patent copies by attaching to each a Patent Cover Worksheet (see Section J, exhibit 13); i.e., coversheet, provided as part of the Government furnished materials. Each coversheet shall be placed at the back of its associated patent with the printed information facing outward and shall have two staples placed equal distance from either edge at the bottom of the page unless the Government directs otherwise.

C.7.5.5 During the course of processing, the Contractor shall identify documents which are clearly recognizable as belonging to classifications outside the project scope (i.e., Misfiles) or which are within the project scope but not on the list of patents in the project (i.e., Founds). These documents are to be removed during processing, bundled separately, and each bundle appropriately identified as Misfiles or Founds and returned to the Government at preliminary inspection.

C.7.5.6 After a coversheet has been attached to each project patent, the Contractor shall separately bundle, by patent number sequence within classification, all OR and all unique XR patent copies. The Contractor shall box any remaining unused patent copies (i.e., surplus patents), label the boxes with the project number and contents, and store these surplus patents for use in future Final Processing projects.

C.7.5.7 The Contractor shall complete a Project Discrepancy Report (see Section J, exhibit 14) for the project and shall notify the Government when Preprocessing is completed and ready for inspection.

C.7.5.8 The Government will conduct the preliminary inspection at the Contractor's facility in accordance with Section E. At the time of this inspection, the Contractor shall return to the Government any Misfiles or Founds located during project processing along with the completed Project Discrepancy Report and all Government furnished materials remaining after project processing was completed.

C.7.5.9 After preliminary acceptance of the work by the Government, the Contractor shall box all project patents in patent number within classification sequence and hold the project patents until a delivery notice is received from the Government. The Contractor shall then deliver and place the patents in the assigned storage racks according to information provided by the Government. After project return and setup is completed, the Government will conduct a final inspection of the work in accordance with Section E.

C.7.5.10 The Contractor shall insure that each and every cover worksheet provided by the Government is properly attached to its complete and legible corresponding patent copy. Because inspection is conducted using a sample of the total project work, each document/coversheet is not checked until the Classifier reviews the individual patents as part of his/her work. If during the course of his/her review the Classifier discovers problems with misassociation and/or incomplete or poor patent copies, the Contractor, as directed by the COTR or her designee, shall provide personnel to integrity check, locate copies, or otherwise correct the project patents as necessary to provide the Classifier with a 100 percent complete and accurate project file.

C.7.6 DATA CAPTURE (CLIN 5)

C.7.6.1 Data Capture has as its objective the creation of a complete and valid computer data file by keying information contained on patent coversheets or computer-generated listings.

C.7.6.2 In accordance with the monthly Processing Schedule and following receipt of the appropriate NOA, the Contractor shall arrange to remove from the location designated on the NOA all patent copies contained in the project. Actual removal of the documents shall not occur except in the presence of the PTO Project Leader, as designated in the NOA, who will verify the removal of only those classifications shown in the NOA. All Government furnished materials required to complete processing of this project will be provided to the Contractor at this time.

C.7.6.3 Using personal computers and software provided by the Government, the Contractor shall create a project data file by keying the patent number and associated classification(s) annotated on each patent coversheet or on computer-generated listings.

C.7.6.4 The Contractor shall key verify (i.e., key a second time) the data keyed in accordance with the preceding section 7.6.3 to ensure that the data file is "keystroke" error free. The Contractor shall deliver the validated project data file to the Government in the specified format (e.g., on floppy disk) no later than the date specified in the NOA.

C.7.6.5 The Government shall conduct a preliminary inspection of the keyed data in accordance with Section E. After preliminary acceptance of the work, patent copies shall be boxed in patent number sequence and the boxes properly labeled as to the contents. The Contractor shall hold the boxes of patents until the Government requests their return.

C.7.6.6 Final inspection of the work will be performed in accordance with Section E during full computer processing of the data.

C.7.6.7 At the direction of the Government, data capture may be done as an ongoing function within Classification operations space on PTO premises during the hours of 7:30 a.m. and 5:00 p.m. on some or all regularly scheduled work days. If this is required, specific procedures will be agreed to in advance by the Contractor and the COTR.

C.7.7 FINAL PROCESSING (CLIN 6)

C.7.7.1 The objective of Final Processing is to establish complete and accurate Public and Examiner Search Files containing patent copies in the new classification sequence. This is accomplished by relabeling existing and additional patent copies. This process is performed first on the PSR set which is then housed in a temporary search facility until relabeling of the Examiner set is completed.

C.7.7.2 Public Search File

C.7.7.2.1 In accordance with the monthly Processing Schedule and following receipt of the appropriate NOA, the Contractor shall arrange to remove the PSF set of project patents from the location designated in the NOA. Actual removal of the documents shall not occur except in the presence of the PTO Project Leader, as designated in the NOA, who will verify the removal of only those documents specified in the NOA. All Government furnished materials required to complete processing of this project will be provided to the Contractor at this time.

C.7.7.2.2 Using the Government furnished labels as a guideline, the Contractor shall locate the required patent copy for each label furnished. Patent copies contained in the project patents and in the surplus patents previously stored in accordance with section C.7.5.6 shall be used first. The Contractor shall ensure that all existing patent copies used meet the standards for an acceptable copy as defined in section C.9.1. Any copies which do not meet these standards shall be repaired or replaced by the Contractor. Replaced copies shall be bundled, identified as "Bad Copies," and returned to the Government at inspection. Only if needed copies are unavailable within the project patents or surplus patents shall the Contractor obtain copies elsewhere in accordance with sections C.7.4.1, C.7.11, and C.7.12.

C.7.7.2.3 The Contractor shall remove the coversheets from the project patents and shall bundle and return the coversheets to the Government at inspection. The Contractor shall affix each new classification label to the appropriate patent copy and shall ensure that each labeled copy meets the standards set forth in section C.9.1. The newly labeled project patents shall be sorted into patent number sequence within each new classification.

C.7.7.2.4 During the course of processing the Contractor shall identify project patents whose label identifies them as being transferred to another project (i.e., Project Transfers), patent copies

designated on the Government furnished materials as canceled (i.e., Cancels), and patents for which no label was provided (i.e., Founds). These patents shall be bundled, each bundle appropriately identified, and the bundles returned to the Government at preliminary inspection.

C.7.7.2.5 The Contractor shall complete a Project Discrepancy Report for the project and shall notify the Government when the PSR set is ready for inspection. The Government will conduct the preliminary inspection at the Contractor's facility in accordance with Section E. At the time of this inspection, the Contractor shall return to the Government any Bad Copies, Project Transfers, Cancels, and Founds located during project processing along with the coversheets, the completed Project Discrepancy Report, and all Government furnished materials remaining after project processing was completed.

C.7.7.2.6 After preliminary acceptance of the work by the Government, the Contractor shall box the patents in numeric sequence within classification and shall hold the boxes until notice to deliver is received from the Government. The Contractor then shall deliver the PSF set to the specified location (normally the Temporary Search Room) and shall place the patents in the storage racks designated by the Project Leader. The Contractor shall clearly label each rack as to its contents. After the project has been set up, the Government will conduct the final inspection of the project in accordance with Section E.

C.7.7.3 Examiner Search File

C.7.7.3.1 In accordance with the monthly Processing Schedule and following receipt of the appropriate NOA, the Contractor shall arrange to remove the ESF set of project patents from the location(s) designated in the NOA. Actual removal of the documents shall not occur except in the presence of the PTO Project Leader, as designated in the NOA, who will verify the removal of only those documents specified in the NOA. All Government furnished materials required to complete processing of this project will be provided to the Contractor at this time.

C.7.7.3.2 Using the Government furnished labels as a guideline, the Contractor shall locate the required patent copy for each label furnished. Patent copies removed from the ESF and surplus patents previously stored in accordance with section C.7.5.6 shall be used first. The Contractor shall ensure that all existing patent copies used meet the standards for an acceptable copy as defined in section C.9.1. Any copies which do not meet these standards shall be repaired or replaced by the Contractor. Replaced copies shall be bundled, identified as "Bad Copies," and returned to the Government at inspection. Only if needed copies are unavailable within the project patents or surplus patents shall the Contractor obtain copies elsewhere in accordance with sections C.7.4.1, C.7.11 and C.7.12.

C.7.7.3.3 The Contractor shall affix each new classification label to the appropriate patent copy and shall ensure that each labeled copy meets the standards set forth in section C.9.1. The newly labeled project patents shall be sorted into patent number sequence within each new classification.

C.7.7.3.4 During the course of processing, the Contractor shall identify patent copies designated on the Government furnished materials as canceled (i.e., Cancels), patents for which no label was provided (i.e., Founds), and patents which are clearly recognizable as belonging to classifications outside the project scope (i.e., Misfiles). These patents shall be bundled, each

bundle appropriately identified, and the bundles returned to the Government at preliminary inspection.

C.7.7.3.5 The Contractor shall complete a Project Discrepancy Report for the project and shall notify the Government when the ESR set is ready for inspection. The Government will conduct the preliminary inspection at the Contractor's facility in accordance with Section E. At the time of this inspection, the Contractor shall return to the Government any Bad Copies, Cancels, Founds, and Misfiles located during project processing along with the completed Project Discrepancy Report and all Government furnished materials remaining after project processing was completed.

C.7.7.3.6 After preliminary acceptance of the work, the Contractor shall box the patents in classification sequence and hold the boxes until notice to deliver is received from the Government. The Contractor then shall deliver the ESR set to the specified location and shall place the patents in the shoeboxes designated by the Project Leader. The Contractor shall clearly label each shoe as to its contents in accordance with section C.9.2. After the project has been set up in the ESR, the Government will conduct the final inspection of the project in accordance with Section E.

C.7.7.3.7 The Contractor shall prepare the PSF for return to the PSR. The Contractor shall insure that all classifications are present in the project, that all patents are filed in the appropriate sequence, and shall provide the Government with a count of documents contained in each classification as of the time of boxing. The project patents shall be boxed in patent number sequence within classification and each box shall be clearly labeled as to its contents.

C.7.8 SEARCH FILE QUALITY IMPROVEMENT

C.7.8.1 Search File Quality Improvement has as its objective the physical restoration of the paper search files and the updating and verification of the official automated classification data records. Processing normally is performed only on U.S. patents unless otherwise directed by the Government.

C.7.9 FILE INVENTORY (CLIN 7)

C.7.9.1 File Inventory has as its objective the physical comparison of the actual contents of the ESF with the data contained on the automated master files.

C.7.9.2 The Government will survey the portion of the search file to be inventoried, calculate the time allotted, and prepare an NOA which specifies the work to be done. The Government will provide the Contractor with computer-generated listings of U.S. patent numbers currently recorded on the master file for each subclass in the portion of the search file to be inventoried.

C.7.9.3 Prior to beginning an inventory in the ESF, the Contractor shall check the shoes containing foreign patent documents and NPL in the classifications to be inventoried and shall remove any U.S. patent copies found in those shoes. The Contractor immediately shall refile these patents if the appropriate location is within the scope of the inventory project; the remaining patents found in the foreign shoes shall be delivered immediately to the designated pickup location for later refiling.